

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul O. Sheppard, Julia E. Novak, and Fenella Raymond

Serial No.: Not assigned                      Group Art Unit: Not assigned

Filed: January 28, 2002                      Examiner: Not assigned

For: Tumor Marker Zsig62                      Docket No.: 98-76D1

This is a Divisional Application of U.S. Serial No. 09/493,565.

**Preliminary Amendment**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination on the merits, Applicants wish to amend the captioned divisional application as follows.

***In the Claims:***

Please cancel claims 6 to 12 without prejudice or disclaimer to the subject matter therein.

Please amend the claims as follows.

19. (Amended) A method of detecting a tumor in a human subject, comprising the steps of:

(a) contacting a Zsig62 nucleic acid probe under hybridizing conditions with a test sample comprising either

(i) RNA molecules isolated from a biological sample of the human subject, wherein the biological sample is suspected of containing tumor cells, or

(ii) nucleic acid molecules synthesized from the isolated RNA molecules,

wherein the nucleic acid probe has a nucleotide sequence comprising either a portion of the nucleotide sequence of nucleotides 113 to 316 of SEQ ID NO:1, or its complement, and wherein the biological sample is obtained from a tissue selected from the group consisting of lung, uterus, breast, fallopian tube, ovary, and gall bladder, and

(b) detecting the formation of hybrids of the nucleic acid probe and the test sample,

wherein the absence of hybrids indicates the presence of a tumor in the tissue obtained from the human subject.

A marked-up version of the changes made to the claims is attached to the present amendment. The attached pages are captioned “Version with Markings to Show Changes Made.”

Respectfully Submitted,  
ZymoGenetics, Inc.

Phelp Adams

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**Version with Markings to Show Changes Made**

***In the Claims:***

Claims 6 to 12 have been cancelled.

Claim 19 has been amended as follows:

19. (Amended) A method of detecting a tumor in a human subject, comprising the steps of:

(a) contacting a *Zsig62* nucleic acid probe under hybridizing conditions with a test sample comprising either

(i) RNA molecules isolated from a biological sample of the human subject, wherein the biological sample is suspected of containing tumor cells, or

(ii) nucleic acid molecules synthesized from the isolated RNA molecules,

wherein the nucleic acid probe has a nucleotide sequence comprising either a portion of the nucleotide sequence of ~~the nucleic acid molecule of claim 8~~ nucleotides 113 to 316 of SEQ ID NO:1, or its complement, and wherein the biological sample is obtained from a tissue selected from the group consisting of lung, uterus, breast, fallopian tube, ovary, and gall bladder, and

(b) detecting the formation of hybrids of the nucleic acid probe and the test sample,

wherein the absence of hybrids indicates the presence of a tumor in the tissue obtained from the human subject.

Accepted for Publication